

FLOOR SCHEDULE FOR THURSDAY, FEBRUARY 27, 2014

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Morning Hour 12:00 p.m.: Legislative Business Fifteen "One Minutes"	1:00 – 2:00 p.m.	5:30 – 6:30 p.m.

Complete Consideration of [H.R. 2804](#) – All Economic Regulations Are Transparent Act of 2014 (Rep. Holding – Judiciary). This bill is a combination of four Republican-sponsored bills, each reported with no Democratic support, that would drastically weaken the federal rule making process, exposing Americans to serious harm across the board, from environmental hazards to risky behavior by financial institutions.

The first bill, [H.R. 2804](#), would prohibit any rule issued by an agency from going into effect until the Office of Information and Regulatory Affairs has made the information available online for 6 months.

The second bill, [H.R. 2122](#), would amend the Administrative Procedures Act, adding 60 new procedural requirements and analyses to the process by which agencies establish rules – creating more areas in which to challenge new rules. It would also overrule existing provisions that prohibit consideration of cost when promulgating essential rules affecting public health.

The third bill, [H.R. 2542](#), would require agencies to conduct additional, extensive analyses (including a rule's "indirect" economic effects) of the impact of proposed rules on small businesses and give impacted entities more opportunity to challenge new rules. This widening of the judicial review and the creation of a new right to challenge non-final agency actions on new rules will greatly hinder the ability of agencies to create rules to protect public safety.

The fourth bill, [H.R. 1493](#), would impose a number of procedural requirements on agencies when a consent decree or settlement agreement is reached in order to resolve an action brought against an agency for failing to execute a regulation – creating redundancy and forcing agencies to waste funds working through burdensome procedures instead of enforcing safety protections.

The Rule makes in order no further general debate. As of last night, the House had completed debate through the Tipton Amendment (#6). The following amendments remain to be debated:

Connolly Amendment. Exempts any rule pertaining to air quality or water quality.

Jackson Lee Amendment. Exempts rules made by the Secretary of Homeland Security, or any consent decree or settlement made as a result of the rule.

Johnson (GA) Amendment. Excludes from the bill any rule, consent decree, or settlement agreement that the Director of the Office of Management and Budget determines would result in net job creation or whose benefits exceeds its costs.

Miller (CA)/Courtney Amendment #10. Exempts regulations proposed by the Occupational Safety and Health Administration to prevent combustible dust explosions and fires.

Miller (CA)/Courtney Amendment #11. Exempts any regulations, or modifications thereto, which have been recommended in writing by the Inspector General of a federal agency, including but not limited to those which would improve protections for taxpayers, students, public and workplace safety and health, or otherwise increase the effectiveness or efficiency of agency activities.

The following amendment had a recorded vote pending as of last night:

Rothfus/Barr Amendment. Defines rulemakings that would have a "negative-impact on jobs and wages." Under the amendment, rules that resulted in net job creation would be defined as having a negative impact; agencies could only look at job losses from a rule, not any jobs the rule might create. Agencies would have to identify rules that fall under that definition, and agency heads that approve such a rule would be required to submit a statement that they approved it knowing of its "negative-impact on jobs and wages."

Bill Text for H.R. 2804:
[PDF Version](#)

Background for H.R. 2804:

[CRS Report:](#) Independence of Federal Financial Regulators

Complete Consideration of [H.R. 3193](#) – Consumer Financial Protection and Soundness Improvement Act (Rep. Duffy – Financial Services) (One Hour of Debate). This bill is a combination of five Republican-sponsored bills that would negatively impact the Consumer Financial Protection Bureau (CFPB). The bill would lower the requirements of the Financial Stability Oversight Council to overturn a CFPB regulation aimed at protecting safety of U.S. financial institutions. The bill would also prohibit the CFPB from offering salary and benefits to employees matching the Federal Government General Schedule, impeding its ability to competitively attract and retain talented personnel. It would replace the CFPB Director with a five-member, Senate-confirmed commission, impeding the CFPB's ability to quickly engage in rulemaking and pursue enforcement actions. Additionally, bill would require the CFPB to obtain consumers' permission before examining personal financial information. The bill would also make the CFPB subject to the annual Appropriations process, eliminating its independence. Lastly, the White House has issued a SAP stating that the President would veto this bill.

The Rule, which was adopted on February 11, 2014, makes in order 4 amendments, debatable for 10 minutes, equally divided between the offeror and an opponent. The amendments are:

Rigell Amendment. Requires the Consumer Financial Protection Bureau to (1) submit an analysis on the impact of its proposed rule or regulation on the financial industry, and (2) submit an analysis of consumer and small business access to credit as a result of the regulation, to the Financial Stability Oversight Council for the purposes of public review.

Stivers/Walz Amendment. Creates an independent, Senate-confirmed Inspector General for the Financial Product Safety Commission.

DeSantis Amendment. Repeals the exclusive rulemaking authority of the Consumer Financial Protection Bureau.

Moore Amendment. Adds Findings and Sense of Congress language to the end of the bill that acknowledges and honors the work of the Consumer Financial Protection Bureau in providing protection and relief to consumers from instances of unfair, deceptive, and abusive practices in financial markets.

Bill Text for H.R. 3193:

[PDF Version](#)

[H.Res. 492](#) – Rule providing for consideration [H.R. 899](#) – Unfunded Mandates Information and Transparency Act (Rep. Foxx – Oversight and Government Reform/Budget/Rules/Judiciary) (One Hour of Debate). The Rules committee has recommended a structured Rule that provides for one hour of general debate equally divided and controlled by the Chair and Ranking Member of the Committee on Oversight and Government Reform. The Rule allows for 3 amendments, debatable for 10 minutes equally divided between the offeror and an opponent. The Rule allows one motion to recommit, with or without instructions, and waives all points of order against the legislation. **Members are urged to VOTE NO.**

**Members are advised that the House is only expected to consider the Rule for H.R. 899 today. The House will complete general debate and consider the amendments to H.R. 899 tomorrow.

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule for Friday, February 28: The House will meet at 9:00 a.m. for legislative business. The House is expected to complete consideration of H.R. 899 – Unfunded Mandates Information and Transparency Act (Rep. Foxx – Oversight and Government Reform/Budget/Rules/Judiciary).

The Daily Quote

"Problem-solving has not been anywhere on the priority list of the 112th or 113th Congresses, especially but not exclusively in the House of Representatives... The shrinkage in the ranks of problem solvers is a symptom, not a cause, of the embarrassing product of the 113th Congress, and the likelihood is that the remainder of the year will be even less productive than what we have seen so far. The combination of the permanent campaign and the rampant tribalism makes action or compromise nearly impossible. House Majority Leader Eric Cantor early in the year scheduled a pitifully small number of days in session before the November elections, now amounting to about 80, and many of those will be pro forma or abbreviated sessions. The early strategy, reflected in the majority leader's memo to his troops, was to keep the focus on the failures of Obamacare and avoid distractions that would come with actually pushing to enact laws—which, after all, could be signed by the president and presented as evidence that things were working. So bills will pass the House, no doubt including more attempts to eviscerate Obamacare, but very few will pass with an eye toward reaching a compromise in a House-Senate conference and getting to one of those signing ceremonies. As for the big issues, especially immigration and tax reform, which are manifestly in the Republicans' interest, there is an additional impediment: Action on those would divide the GOP caucus at a time when the leaders are trying to unite their members. As I have written before, ideas like apprenticeship programs, relocation assistance, job-sharing incentives, increases in the Earned Income Tax Credit, and possibly subsidies for employers to hire lower-income workers could easily be blended with a slightly smaller increase in the minimum wage to find a sweet spot in this critical area. That combination would lift the 113th out of the ignominy of winning the 'Do-Nothingest' record. Sadly, it is not likely to happen as we soon segue through primary season and into the high-stakes midterm campaign."

- Norm Ornstein, National Journal, 2/26/2014